# ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.

December 20, 2011

The meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Binnie, Singer, Stewart, Olsen, Winship (arrived at 6:31 p.m.), Abbott. ABSENT: Kienbaum. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Councilmember Olsen and seconded by Councilmember Binnie to approve the Council minutes of November 15, 2011 and to acknowledge receipt and filing of the following: Park and Recreation Minutes of November 7, 2011; Tech Park Minutes of November 9, 2011; Urban Forestry Minutes of August 16, 2011, September 20, 2011 and October 18, 2011; Plan Commission Minutes of November 14, 2011; Library Board Minutes of November 14, 2011; CDA Minutes of October 24, 2011; Landmark Minutes of September 15 and October 5, 2011; and Manually-Issued Checks for November, 2011. AYES: Winship, Binnie, Singer, Stewart, Olsen, Abbott. NOES: None. ABSENT: Kienbaum.

<u>APPROVAL OF PAYMENT OF INVOICES</u>. It was moved by Olsen and seconded by Binnie to approve payment of invoices in the total sum of \$295,458.56. AYES: Winship, Singer, Stewart, Olsen, Binnie, Abbott. NOES: None. ABSENT: Kienbaum.

<u>STAFF REPORT.</u> City Manager Brunner reported on the update on <u>Innovation Center/University Technology Park</u> and the <u>Way-Finding Signage Program</u>. Library Director Lunsford reported on the update on <u>Library Space Needs</u>.

**2012 SALARY RESOLUTION AMENDMENT #1.** An amendment to the 2012 salary resolution is necessary to place the position of GIS Technician at Grade C; to eliminate the position of Engineering Technician and pay grade E; to eliminate the position of Zoning/GIS technician, and to reduce EMT oncall pay to \$1 per hour for EMTs assigned to both Truck #1 and Truck #2.

#### CITY OF WHITEWATER 2012 SALARY RESOLUTION AMENDMENT #1

**WHEREAS,** the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, sets forth the wage and salary schedule for employees for 2012, in which wages are established.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that the following ranges and numbers of employees in the 2012 Wage and Salary Schedule are hereby adopted pursuant to Wisconsin Statutes; and

**BE IT FURTHER RESOLVED** that the contents of this resolution shall supersede such previously adopted schedules where the subject matter between the two shall be in conflict, and the changes contained herein shall be effective beginning January 1, 2012.

# SCHEDULE I ADMINISTRATIVE POSITIONS

Position	# of Positions	Effective	Salary
City Manager	1	07/01/2011	100,630.51
Chief of Police	1	09/27/2011	87,000.00
Municipal Judge	1	05/01/2011	19,576.76
City Attorney	1	07/01/2011	52,531.25

### SCHEDULE II PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN

Pay Grade	# of Positions	Classification Titles	Pay Grade	# of Positions	Classification Titles
A*	3/4	Senior Coordinator (Part-time)	F	1	City Clerk
	2	Administrative Assistant II - Records Technician	G	1	Neighborhood Services Manager
	2	Administrative Assistant II - General Admin	Н		
	1	Administrative Assistant II - Utilities (Part-time)	I	1	Assistant to City Manager
B*	1	Accounting Technician II - Payroll & Accounts Payable		1	Chief Information Officer
	1	Accounting Technician II - Utilities		1	Water Superintendent
	1	Administrative Assistant I - Neighborhood Services	J	1	Streets, Parks & Forestry Superintendent
	1	Clerk of Courts		1	Parks & Recreation Director
C	1	GIS Technician		1	Wastewater Treatment Plant Superintendent
D	1	Finance Support Services Manager	K	1	Lieutenant - Field Services
	1	Support Services Manager	L	1	Captain
Е	1	Community TV/Media Services Manager		1	Finance Director
	1	CDA Coordinator		1	Public Works Director
	1	Recreation & Community Events Programmer		<u>'</u>	·

<sup>\*</sup>Non-Exempt Positions

#### SCHEDULE II PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN

Pay Grade		1	2	3	4	5
	Hourly Wage	14.93	15.39	16.05	16.73	17.39
A*	2080 Hours	31,053.11	32,014.65	33,391.38	34,789.98	36,166.72
	Hourly Wage	16.00	16.73	17.45	18.18	18.90
B*	2080 Hours	33,282.12	34,789.98	36,297.83	37,805.69	39,313.55
С	Salary	36,160.57	37,803.46	39,446.58	41,091.17	42,734.30
D	Salary	39,051.73	40,827.38	42,600.54	44,375.93	46,153.07

Е	Salary	42,859.15	44,806.88	46,754.34	48,703.30	50,651.99
F	Salary	46,209.18	48,309.44	50,408.71	52,510.46	54,609.49
G	Salary	49,558.97	51,812.27	54,064.33	56,314.90	58,568.21
Н	Salary	52,908.99	55,312.62	57,718.71	60,120.85	62,528.42
I	Salary	56,257.80	58,815.44	61,371.61	63,928.27	66,485.91
J	Salary	59,606.35	62,315.55	65,026.23	67,734.20	70,444.64
K	Salary	62,957.62	65,818.36	68,680.61	71,540.13	74,402.36
L	Salary	66,306.42	69,319.96	72,334.99	75,347.55	78,363.57

<sup>\*</sup>Non-Exempt Positions

### SCHEDULE III LIBRARY POSITIONS

Pay	# of			Step					
Grade	Positions	Classification Titles	1	2	3	4	5		
A1	3	Library Aide*	11.91	12.44	13.00	13.00	13.00		
A2	5	Library Assistants*	12.94	13.53	14.13	14.71	15.30		
		Library Technical							
A3	3	Assistants*	14.71	15.39	16.05	16.73	17.39		
	3	Library Associates*							
A4	1	Youth Service Librarian	36,160.57	37,803.70	39,446.58	41,091.17	42,734.30		
A5	1	Assistant Library Director	46,209.18	48,309.44	50,408.71	52,505.71	54,609.49		
A6	1	Library Director	59,606.35	62,315.55	65,026.23	67,734.20	70,444.64		

<sup>\*</sup>Non-Exempt Positions

# SCHEDULE IV WHITEWATER POLICE DISPATCH UNION

	# of		Step			
Position	Positions	Effective Date	1	2	3	4
Records Communications Coordinator	1	01/01/2011	18.64	19.63	20.65	20.89
Per 2,080 Hours			38,781.29	40,826.95	42,958.73	43,454.00

Dispatch / Records						
Communications Aide	7	01/01/2011	16.77	17.64	18.57	18.76
6 @ Per 1947 Hours			32,653.23	34,346.37	36,160.43	36,523.25
1 @ Per 976 Hours			16,368.54	17,217.28	18,126.65	18,308.52
Parking/Community						
Support	1	01/01/2011	15.22	16.03	16.87	17.04
Per 1872 Hours			28,488.42	30,000.05	31,589.20	31,899.28

### SCHEDULE V AFSCME UNION

		Step					
		1	2	3	4	5	6
Pay			12-23		36-47	48-59	
Grade	Classification Title	0-11 mos.	mos.	24-35 mos.	mos.	mos.	60+ mos.
Α	Chemist Assistant	12.58	13.20	13.82	13.82	13.82	13.82
_	Custodian/Groundskeep	44.00	45.50	40.40	40.04	47.00	47.70
В	er Dan O 000 //aum	14.96	15.53	16.10	16.64	17.20	17.76
	Per 2,080 Hours	31,118.67	32,298.73	33,478.80	34,615.15	35,773.36	36,931.57
	Labara II	47.40	40.05	40.04	40.40	40.70	00.00
С	Laborer II	17.48	18.05	18.61	19.16	19.73	20.28
	Per 2,080 Hours	36,363.39	37,543.45	38,701.66	39,859.87	41,039.93	42,176.29
	D !! !!	10.77	00.44	00.00	04.00	04.04	20.00
D	Building Maintenance	19.57	20.14	20.68	21.26	21.81	22.38
	Per 2,080 Hours	40,712.14	41,892.20	43,006.70	44,230.47	45,366.83	46,546.89
_							
E	Laborer I	21.90	22.39	22.87	23.37	23.85	24.35
	Laborer I - Mechanic Code						
	Enforcement/Building						
	Maintenance						
	Water Operator - no						
	certification (1)						
	Wastewater Operator -						
	no certification (1)						
	Wastewater Operator - Lab Technician						
	no certification (1)						
	Per 2,080 Hours	45,541.65	46,568.74	47,573.98	48,601.07	49,606.31	50,655.25

<sup>(1)</sup> Additional twenty cents (\$.20) per hour upon completion and receipt of Grade I certification and one (1) subgrade

#### Grade

**F:** Successful completion of Grade II and all Grade II subgrades required by Wisconsin Administrative Code for the City of Whitewater Wastewater Utility.

Wastewater Operator \$25.12 52,250.52

Grade Successful completion of Grade IV and all Grade IV subgrades required by Wisconsin Administrative

Wastewater Operator \$25.38 52,796.85

### SCHEDULE VI WHITEWATER PROFESSIONAL POLICE ASSOCIATION UNION

Position	# of Positions	Effective Date	Hourly Wage	Per 2,080 Hours
				*Patrol (2,008 Hours)
Sergeant*	3	01/01/2011	30.10	60,460.88
Detective Sergeant	1	01/01/2011	30.10	62,608.80
Detective	2	01/01/2011	28.78	59,862.40
Juvenile Officer	1	01/01/2011	28.78	59,862.40
Patrol Officer I*		01/01/2011	27.54	55,300.32
Patrol Officer II*	14	01/01/2011	24.96	50,119.68
Patrol Officer III*		01/01/2011	23.54	47,268.32

#### SCHEDULE VII FIRE-RESCUE

Position	# of Positions (Part-time)	Wage
Fire-Inspector	6	\$11.00 per hour
Volunteer Fire	48	\$8.00 per call
Rescue Squad Captain	1	\$10.00 per call
Rescue Squad Lieutenant	4	\$9.00 per call
Rescue Squad Maintenance	1	\$100.00 per month
EMT Driver		\$16.00 per hour
EMT Basic		\$17.50 per hour
EMT Intermediate		\$20.00 per hour
EMT On-Call Pay (Truck #1)		\$1.00 per hour
EMT On-Call Pay (Truck #2)		\$1.00 per hour
Fire Chief	1	\$15.00 per call
1st Asst. Fire Chief	1	\$13.00 per call
2nd Asst. Fire Chief	1	\$11.00 per call
Fire Vehicle Maintenance	5	\$50.00 per month

### SCHEDULE VIII PART-TIME EMPLOYEES

Position	# of Positions	Effective Date	Hourly Wage
Community Service Officer	2	01/01/2009	\$10.54
Neighborhood Services Officer	1	01/01/2009	\$10.54

### SCHEDULE IX PART-TIME SEASONAL EMPLOYEES

	Step							
Position	1	2	3	4	5			
Election Officials	8.00	8.00	8.00	8.00	8.00			
Crossing Guards	10.96	10.96	10.96	10.96	10.96			
Cable TV Camera Operator	7.25	7.50	8.00	8.75	9.75			
Adult Sport Officials	10.00	11.00	12.00	13.00	15.00			
Activity Leaders	9.25	9.50	10.00	10.50	11.50			
Program Attendants	7.25	7.50	7.75	8.00	8.25			
Certified Instructors	10.00	11.00	12.00	13.00	15.00			
Activity Instructors	7.75	8.00	8.25	8.50	8.75			
Youth Sport Officials	20.00	21.00	22.00	24.00	25.00			
Seasonal Labor	7.25	7.50	8.00	8.75	9.75			

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Winship, Olsen, Abbott, Singer, Stewart, Binnie NOES: None. ABSENT: Kienbaum. ADOPTED: December 20, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**RESOLUTION AUTHORIZING MEMBERSHIP IN THE CITIES AND VILLAGES MUTUAL INSURANCE COMPANY.** Quotes were obtained from companies interested in providing Whitewater's general liability insurance, and it was recommended that the City purchase their insurance from the Cities and Villages Mutual Insurance Company.

# RESOLUTION AUTHORIZING MEMBERSHIP IN THE CITIES AND VILLAGES MUTUAL INSURANCE COMPANY

WHEREAS, Section 66.18 of the Wisconsin Statutes authorizes municipalities to participate in and pay the cost of risk management services and liability insurance through participation in a municipal insurance mutual organized under Section 611.23 of the Wisconsin Statutes; and,

WHEREAS, in 1987 twenty-five Wisconsin cities and villages founded the Wisconsin Municipal Insurance Commission, an intergovernmental cooperation commission pursuant to Section 66.30 of the Wisconsin Statutes ("WMIC"), to design and capitalize a municipal insurance mutual under Sections 66.18 and 611.23; and

WHEREAS, WMIC created a municipal insurance mutual and obtained its incorporation as Cities and Villages Mutual Insurance Company ("CVMIC") by the Wisconsin Commissioner of Insurance; and

WHEREAS, since 1987 CVMIC has grown to forty-four member municipalities and has developed a wide range of risk management, loss control and insurance joint purchase services; and

WHEREAS, it is the finding and determination of this City Council that it is in the best interest of the City of Whitewater (the "City") to meet its liability insurance needs through cooperative efforts with other cities and villages by becoming a member of CVMIC.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City that:

- 1. **Participation.** The City will take the necessary actions to become a member of CVMIC and the City may participate in joint purchases of risk management, loss control and insurance services offered by WMIC.
- 2. <u>CVMIC Program Agreement</u>. The City Manager is hereby authorized to enter into the Liability Insurance Coverage Program Agreement dated as of November 1, 1987, as amended, attached hereto as Exhibit A.
- 3. <u>CVMIC Articles and By-laws</u>. The Articles of Incorporation and By-laws of CVMIC, attached hereto as Exhibits B and C respectively are hereby accepted and approved.
- 4. <u>Coverage; Premium; and Joint Purchases</u>. The insurance coverage to be provided to the City by CVMIC and the premium to be paid by the City to CVMIC are set forth in the coverage document (the "Policy"), as may be amended from time to time, attached hereto as Exhibit D. The Policy and premium are hereby approved.
- 5. <u>Designated Representative</u>. City Manager Kevin M. Brunner is hereby designated as the City's representative to CVMIC; he is authorized to act on behalf of the City at meetings of representatives where CVMIC conducts its affairs; and in so doing, he is acting in an official capacity and/or within the scope of his employment.
- 6. <u>Conflicting Resolutions</u>. All prior resolutions, rules or other actions of the City or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict.
- 7. **Severability.** In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Abbott, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Kienbaum. ADOPTED: December 20, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CH. 7.27, POSSESSION AND USE OF SYNTHETIC CANNABINOID SUBSTANCES PROHIBITED.

#### Ordinance No. <u>1832A – Final</u>

### ORDINANCE AMENDING CHAPTER 7.27 POSSESION AND USE OF SYNTHETIC CANNABINOID SUBSTANCES PROHIBITED

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do hereby ordain as follows:

Section 1, Chapter 7.27, Possession, Sale and use of Synthetic Cannabinoid Substances Prohibited, is hereby deleted in its entirety and amended to read as follows:

<u>Chapter 7.27.010</u>. The provisions of Section 961.14 (4) (tb) to (ty) and 961.41 (3g) (em) and all acts amendatory thereof and supplementary thereto relating to possession and use of substances prohibited therein (synthetic cannabinoids) exclusive of the penalty provisions are adopted as a portion of this chapter.

<u>Chapter 7.27.020</u>. Penalty. Any person who violates this chapter shall upon conviction thereof forfeit not less than \$300 nor more than \$700 together with costs of prosecution and other costs, and in default of payment for such forfeiture and costs shall be imprisoned in the County Jail until full payment is made, but not to exceed 60 days.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Stewart, Singer, Binnie, Winship, Abbott, Olsen. NOES: None. ABSENT: Kienbaum. ADOPTED: December 20, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

# SECOND READING OF ORDINANCE AMENDING SECTION 1.21.010 SCHEDULE OF DEPOSITS.

Ordinance No. <u>1833A – Final</u>

#### ORDINANCE AMENDING SECTION 1.21.010 SCHEDULE OF DEPOSITS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, does hereby ordain as follows:

SECTION 1: Whitewater Municipal Code Section 1.21.010 is hereby amended by deleting those deposits set forth under 7.27.030A and 7.27.030B.

SECTION 2: Whitewater Municipal Code Section 1.21.010 is hereby amended to add the following:

CHAPTER OR		DEPOSITS
SECTION NUMBER	<u>OFFENSE</u>	AND COSTS
7.27	Possession and use of synthetic cannabinoid substances prohibited	1 <sup>st</sup> offense - \$400 plus statutory penalty assessment, jail assessment, court costs and crime lab

SECTION 3: This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Stewart, Singer, Winship, Olsen, Binnie, Abbott. NOES: None. ABSENT: Kienbaum. ADOPTED: December 20, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF MILWAUKEE STREET DESIGN. DPW Director Fischer presented information regarding the proposed Milwaukee Street reconstruction project. Tiiu Gray-Fow, Chairperson of the Urban Forestry Commission, indicated that the Board had met and would like to recommend that sidewalks be constructed at a 4' width instead of a 5' width. Gray-Fow indicated that extra terrace area would help with snow storage, melt and run off. In addition, 4' sidewalk instead of 5' would allow retention of trees. Resident Sally Watson expressed strong concerns over the negative effect the proposed project would have on their property and parking options. After lengthy discussion, it was moved by Binnie and seconded by Winship to replace the four foot sidewalks that are disturbed by construction based on survey and preliminary design, at a cost of \$40,300. AYES: Olsen, Abbott, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Kienbaum. It was then moved by Olsen and seconded by Binnie to design streets in the residential area at 45' back to back (back of curb to back of curb). The typical section allows for 4' wide bike lanes but no parking. The travel lanes are 12 feet wide at pedestrian island locations and 16 feet elsewhere. This cross section allows future flexibility with restriping to a different configuration. This typical section results in terraces that are 2' wider than existing terraces if a 4' sidewalk is used. AYES: Olsen, Abbott, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Kienbaum. It was then moved by Binnie and seconded by Winship to approve a 49' width back to back project in the commercial area (defined at the Milwaukee Street portion between Dann Street and Esterly Street), but to delay any decision related to parking and/or bike lanes at this time. AYES: Olsen, Abbott, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Kienbaum.

APPROVAL OF AMENDMENTS TO CITY OF WHITEWATER PERSONNEL POLICY MANUAL. Numerous amendments have been made to the City Personnel policy as a result of Governor Walkers' actions relating to municipal employee benefits and Unions. It was moved by Olsen and seconded by Winship to approve the revised Whitewater personnel policy manual as presented by Human Resources Coordinator Clapper. AYES: Olsen, Abbott, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Kienbaum.

APPROVAL OF CONTRACT WITH RADICOM FOR MAINTENANCE SERVICE FOR POLICE DEPARTMENT RADIO EQUIPMENT. It was moved by Olsen and seconded by Binnie to approve a one-year contract with Radicom for maintenance service for Police Department radio equipment in the sum of \$20,014.98 (with advance payment). AYES: Binnie, Stewart, Singer, Abbott, Winship, Olsen. NOES: None. ABSENT: Kienbaum.

PLAN AND RELATED FINANCING. DPW Director Fischer presented the Capital Improvement Program and Funding Schedule. Fischer indicated that some changes have been made since the April, 2011 adoption of the Program. Amendments include the assignment of the Milwaukee Street and Clay Street projects to different years; the Esterly Street project as a stand alone project instead of being connected with the Clay Street project; the addition of a sewer project from North Street to Milwaukee Street; the construction of an EMS / Fire Department building; addition of a multi-use trail from

Wisconsin to Franklin Streets; and a parking lot for the proposed Field of Dreams in Starin Park. It was moved by Olsen and seconded by Binnie to approve the 2012 Capital Improvement Plan and related financing. AYES: Abbott, Binnie, Singer, Stewart, Olsen, Winship. NOES: None. ABSENT: Kienbaum.

<u>APPOINTMENTS TO VACANT COUNCILMEMBER POSITIONS.</u> Councilmember Binnie noted that appointments to vacant council seats have been handled in various manners throughout the years, and he felt it would be advantageous for Council to develop a policy on how to handle council vacancies. It was agreed that Councilmember Binnie would work with City Attorney McDonell to develop a proposal to bring to Council.

**DISCUSSION AND POSSIBLE DIRECTION REGARDING AMENDMENT TO ALLOW HOURS OF OPERATION FOR CLASS A LICENSES.** Due to a change in the Statutes, Class A licensees can begin selling beer and alcohol at 6:00 a.m. unless the municipality has an ordinance prohibiting that. Whitewater's ordinance allows sales to begin at 8:00 a.m. It was agreed that an ordinance extending the hours of operation for Class A licensees would be brought to the Council at a future date.

**2012-2013 AMBULANCE CONTRACT WITH TOWN OF WHITEWATER.** It was moved by by Olsen and seconded by Binnie to approve the 2012-2013 ambulance contract with the Town of Whitewater. AYES: Olsen, Binnie, Singer, Stewart, Abbott, Winship. NOES: None. ABSENT: Kienbaum.

**APPOINTMENT OF 2012-2013 ELECTION INSPECTORS.** Every two years, municipalities must appoint election inspectors for the next two years. Nominations are given to the municipality by the two parties receiving the most votes. Moved by Olsen and seconded by Binnie to approve the appointment of 2012-2013 election inspectors as presented by the City Clerk. AYES: Olsen, Binnie, Singer, Stewart, Abbott, Winship. NOES: None. ABSENT: Kienbaum.

<u>CONSIDERATION OF CANCELLATION OF THE JANUARY 3, 2012 COUNCIL MEETING.</u>
It was moved by Olsen and seconded by Binnie to cancel the January 3, 2012 council meeting. AYES: Olsen, Binnie, Singer, Stewart, Abbott, Winship. NOES: None. ABSENT: Kienbaum.

<u>COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.</u> Councilmember Stewart requested that 2012 election dates be provided to the Council.

**ADJOURNMENT TO EXECUTIVE SESSION.** It was moved by Singer and seconded by Olsen to adjourn to Closed Session, **not to reconvene**, per Wisconsin Statutes 19.85(1)(e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session" and 19.85 (1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." Item to be Discussed: 1) Indian Mound Preserve Property Encroachment and Possible Resolution. AYES: Abbott, Winship, Binnie, Singer, Olsen, Stewart. NOES: None. ABSENT: Kienbaum. Being no further business to come before the regular portion of the meeting, the meeting adjourned at 8:22 p.m.

Respectfully submitted,

Michele R. Smith City Clerk